



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/766,034 | 01/29/2004 | Laurel A. Novacek | 968-203 |

23117
 NIXON & VANDERHYE, PC
 1100 N GLEBE ROAD
 8TH FLOOR
 ARLINGTON, VA 22201-4714



CONFIRMATION NO. 1116

FORMALITIES LETTER



OC000000013481808

Date Mailed: 08/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/26/2004 EFL0KES 00000075 10766034

01 FC:1001 770.00 OP
 02 FC:1051 130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The specification, claims or abstract page(s) ALL contain improper margins *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

NOVACEK et al

Serial No. 10/766,034

Filed: January 29, 2004

For: SAFETY SYRINGE NEEDLE DEVICE



Attention: Application Branch

Atty. Dkt. 968-203

Date: August 25, 2004

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:

- ☐ **Correspondence Address Indication Form Attached.**
- ☐ Signed Rule 63 Declaration alone, ☒ Copy of Declaration from prior application alone, OR
- ☐ Signed Declaration plus attached copy of originally filed specification/drawings.
- ☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.
- ☐ Record the attached assignment to _____, _____ and return to the undersigned.
- ☐ Attached is a Power of Attorney.

- ☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:
- | Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
|--------------------|---------|----------------------|

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
- ☐ Certified copy(ies) filed on _____ in prior application no. _____, filed _____.
- ☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
- ☒ Please enter the attached preliminary amendment prior to calculation of filing fee.
- ☐ Also attached: ☐ Information Disclosure Statement; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Other: Substitute Specification and Preliminary Amendment

Fees due are calculated below:

| | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------|---|------|-----------|
| Basic filing fee | | | | \$ | 770.00 |
| Total Effective claims | 1 | - 20 = | 0 | x \$ | 18.00 |
| Independent claims | 1 | - 3 = | 0 | x \$ | 86.00 |
| If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) | | | | | \$ 0.00 |
| FILING FEE | | | | | \$ 770.00 |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months) | | | | | |
| Surcharge (\$130.00) if Declaration or filing fee first now submitted | | | | | \$ 130.00 |
| English translation of specification and claims (\$130.00) | | | | | \$ 0.00 |
| FIRST SUBTOTAL | | | | | \$ 900.00 |
| If "small entity," enter half (½) of subtotal and subtract | | | | | -\$ 0.00 |
| SECOND SUBTOTAL | | | | | \$ 900.00 |
| Assignment Recording Fee (\$40.00) | | | | | \$ 0.00 |
| TOTAL FEE ENCLOSED | | | | | \$ 900.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
 Arlington, Virginia 22201-4714
 Telephone: (703) 816-4000
 Facsimile: (703) 816-4100
 RGB:pf

NIXON & VANDERHYE P.C.
 By Atty: Richard G. Besha, Reg. No. 22,770

Signature: Richard Besha